

orney's Docket No. <u>005693.P272X</u>

PATENT

JA 2137

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Mark Muhlestein

Application No.: 10/010,959

Filed:

11/30/2001

For: DECENTRALIZED VIRUS SCANNING

FOR STORED DATA

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Examiner: Khoshnoodi, Nadia

Art Unit: 2137

INFORMATION DISCLOSURE STATEMENT

Sir:

Enclosed is a copy of Information Disclosure Citation Form PTO-1449 or PTO/SB/08 together with copies of the documents cited on that form, except for copies not required to be submitted (e.g., copies of U.S. patents and U.S. published patent applications need not be enclosed). It is respectfully requested that the cited documents be considered and that the enclosed copy of Information Disclosure Citation Form PTO-1449 or PTO/SB/08 be initialed by the Examiner to indicate such consideration and a copy thereof returned to applicant(s).

Pursuant to 37 C.F.R. § 1.97, the submission of this Information

Disclosure Statement is not to be construed as a representation that a search

has been made and is not to be construed as an admission that the information

cited in this statement is material to patentability.

Pursuant to 37 C.F.R. § 1.97, this Information Disclosure Statement is being submitted under one of the following (as indicated by an "X" to the left of

the appropriate paragraph):
37 C.F.R. §1.97(b).
x 37 C.F.R. §1.97(c). If so, then enclosed with this Information Disclosure Statement is <u>one</u> of the following:
A statement pursuant to 37 C.F.R. §1.97(e) or
x A check for \$180.00 for the fee under 37 C.F.R. § 1.17(p).
37 C.F.R. §1.97(d). If so, then enclosed with this Information Disclosure Statement are the following:
(1) A statement pursuant to 37 C.F.R. §1.97(e); and
(2) A check for \$180.00 for the fee under 37 C.F.R. §1.17(p) for submission of the Information Disclosure Statement.
If there are any additional charges, please charge Deposit Account No.
02-2666.
Respectfully submitted,
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Dated: December 13, 2006 Jorgan M. Becker Reg. No. 39,602
12400 Wilshire Blvd. Seventh Floor Los Angeles, CA 90025 (408) 720-8300
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on December 13, 2006 (Date of Deposit)
(Typed or printed name of person mailing correspondence)
(Signature of person mailing correspondence) (Date)

Substitute for Form 1449/PTO Complete if Known						f Known
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A STATE OF THE STA	<i>E</i>				Examiner Name	Khoshnoodi, Nadia
SheeFRADE			of	2	Attorney Docket Number	005693.P272X
			U.S. PAT	ENT DOCUMENTS	3	
Examiner Initials*	Cite No.1	Numb	Document Number Der-Kind Code ² (If known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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E	EP	0 903 901	03-24-1999	TAKAHASHI	
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V	wo	97/49252	12-24-1997	SHAH et al.	

Examiner	!	Date Considered	
Signature			

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SENT FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

								
Substitute for Form 1449/PTO Complete if Known								
INFO	RMAT	TON DISC	LOSURE	Application Number	10/010,959			
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				Examiner Name	Khoshnoodi, Nadia			
Sheet	2	of	2	Attorney Docket Number	005693.P272X			
	NON PATENT LITERATURE DOCUMENTS							
Examiner Initials* Cite No ¹ Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published								
		JIEH-SHENG LEE "A Generic Virus Detection Agent on the Internet" System Sciences, 1997, Pages 210-219, Vol. 4 Center of Computing Services, Hua-Fan Institute of Technology, Shi-Tang, Taipei, TAIWAN						
		PCT Search Report; PCT/US0146688; 09-22-2006						
		PCT Search Re	eport; PCT/US0151	581; 10-10-2006				

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Examiner	Date	
Signature	Considered	

^{*}Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English Translation is attached.

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If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



FEE TRANSMITTAL FOR FY 2006

Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

TOTAL AMOUNT OF PAYMENT (\$) 180.00									
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Applicat			10/010	0,959					
Filing Da			11/30/	2001					
First Na				Muhlestein					
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Art Unit			2137						
Attorney		t No.		3.P272X					
Applicant claims small entity status. See 37 CFR 1.27.									
METHOD OF PAYMENT (check all that apply)									
x Check Credit Card Money Order None Other (please identify)									
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		Deposit							
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	<u>x</u>			ional fee(s) or underpayment of fee	(s) during the pendency of th	nis application.			
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Warning:	Informa	tion on th	is form n	nay become public. Credit card info	ormation should not be include	ded on this form.			
Provide o	credit car	d informa	tion and	authorization on PTO-2038.	· · · · · · · · · · · · · · · · · · ·				
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1011	300	2011	150	Utility application filing fee					
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1013	200	2013	100	Plant filing fee					
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1313	160	2313	80	Plant examination fee					
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1004	300	2004	150	Reissue filing fee					
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2. EXCESS CLAIM FEES

	Extra Claims		below_		Fees Paid (\$)
Total Claims	- 20 or HP = total claims paid for, if greater than 20	X	\$50.00	=	
Independent Claims _	3 or HP =	X	\$200.00	=	
Multiple Dependent C	independent claims paid for, if greater than 3 laims			=	

Large	Entity	Small Entity		
Fee	Fee	Fee	Fee	
Code	(\$)	Code	(\$)	Fee Description
1202	50	2202	25	Each claim over 20
1201	200	2201	100	Each independent claim over 3
1203	360	2203	180	Multiple dependent claims, if not paid
1204	200	2204	100	Reissue: each claim over 20 and more than in the original patent
1205	50	2205	25	Reissue: each independent claim more than in the original patent

SUBTOTAL (2) \$ 0.00

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sh	<u>ieets</u>	Number of each add'l 50 or fraction thereof		Fee from below	Fees paid (\$)
	- 100 =	/50 =	(round up to whole number)	X	<u>\$250.00</u>	

Large Entity Small Entity		Entity		
Fee	Fee	Fee	Fee	Fee Description: Application size fee for each additional group of 50 sheets
Code	(\$)	Code	(\$) .	beyond initial 100 sheets (count spec & drawings except sequences & program listings):
1081	250	2081	125	Utility
1082	250	2082	125	Design
1083	250	2083	125	Plant
1084	250	2084	125	Reissue

SUBTOTAL (3) \$ 0.00

FEE CALCULATION (continued) 4. OTHER FEE(S) Fees Paid (\$) Non-English Specification, \$130 fee (no small entity discount) **Small Entity** Fee Fee Fee Fee Code (\$) Code (\$) Fee Description Surcharge - late filing fee or oath 1051 130 2051 65 Surcharge - late provisional filing fee or cover sheet 1052 50 2052 25 1053 130 1053 130 Non-English specification 2,520 For filing a request for ex parte reexamination 1812 2,520 1812 8,800 1813 8.800 Request for inter parties reexamination 1813 Requesting publication of SIR prior to Examiner action 1804 920* 1804 920* 1805 1,840* 1805 1,840* Requesting publication of SIR after Examiner action 1251 120 2251 60 Extension for reply within first month 225 Extension for reply within second month 1252 450 2252 Extension for reply within third month 2253 510 1253 1,020 2254 795 Extension for reply within fourth month 1254 1,590 Extension for reply within fifth month 1255 2,160 2255 1,080 250 **Notice of Appeal** 1401 500 2401 2402 250 Filing a brief in support of an appeal 1402 500 1403 1,000 2403 500 Request for oral hearing 1451 1,510 1451 1.510 Petition to institute a public use proceeding Petition to revive – unavoidable 1452 500 2452 250 2453 750 Petition to revive - unintentional 1453 1.500 1501 2501 700 Utility issue fee (or reissue) 1.400 1502 800 2502 400 Design issue fee 1503 1100 2503 550 Plant issue fee Petitions to the Commissioner (CFR 1.17(f) Group I) 400 1462 400 1462 200 Petitions to the Commissioner (CFR 1.17(g) Group II) 1463 1463 200 1464 1464 130 Petitions to the Commissioner (CFR 1.17(h) Group III) 130 Processing fee under 37 CFR 1.17(q) 1807 50 1807 50 180.00 1806 180 **Submission of Information Disclosure Stmt** 1806 180 8021 40 Recording each patent assignment per 8021 40 property (times number of properties) 395 For filing a submission after final rejection 1809 790 2809 (see 37 CFR 1.129(a)) 130 2814 65 **Statutory Disclaimer** 1814 1810 2810 395 For each additional invention to be examined 790 (see 37 CFR 1.129(b)) 1801 790 2801 395 Request for Continued Examination (RCE) Request for expedited examination of a design 900 1802 900 1802 application 300 Publication fee for early, voluntary, or normal pub. 1504 300 1504 300 Publication fee for republication 1505 300 1505 Request for voluntary publication or republication 130 1803 1803 130 130 Processing fee under 37 CFR 1.17(i) (except provisionals) 1808 130 1808 1454 1,370 1454 1,370 Acceptance of unintentionally delayed claim for priority Other fee (specify) Other fee (specify) SUBTOTAL (4) \$180.00 *Reduced by Basic Filing Fee Paid SUBMITTED BY: Jordan M. Becker Typed or Printed Name: Date: December 13, 2006 Signature: **Telephone Number:** <u>408-720-8300</u> Reg. Number:/ 39,602

Send to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

	AMENDMENT TRAN	SMITTAL PATENT							
Application No.:		· -							
Filing Date:	11/30/2001 Mark Muhlestein	-							
Examiner's Name:	Khoshnoodi, Nadia	-							
Art Unit:	2137	-							
Attorney Docket No.: _	005693.P272X	-							
X Charge any X Applicant(s)									
appropria CFR 1.16	ly that requires a petition for extension te length of time and (2) charge all requand 1.17, for any concurrent or future claim small entity status (37 CFR 1.27	uired fees, including extension of time fees and fees under 37 reply to Deposit Account No. 02-2666.							
ATTACHMENTS									
Preliminary A									
	Response with respect to Office Action								
	•	116) (reminder: consider filing a Notice of Appeal)							
Notice of App	eai t for Continued Examination)								
RCE (Reques	· · · · · · · · · · · · · · · · · · ·								
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	sclosure Statement (IDS)								
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Petition for Ex	tension of Time								
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Cross-Refere	nce to Related Application(s)								
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SUBMITTED BY:									
BLAKELY SOKOLOFF T	AYLOR & ZAFMAN LLP								
TYPED OR PRINTED NA	,								
SIGNATURE:.	1-M								
REG. NO.: 39,6)2								
DATE: December 13, 2									
	0 Wilshire Boulevard, Seventh Floor								
	Angeles, California 90025								
TELEPHONE NO.: (408)	720-8300								
	CERTIFICATE OF MAILING BY	FIRST CLASS MAIL (if applicable)							
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	Mame of Person Mailing	Correspondence 1213166							
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